

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 376 of 2020

- Vijay Banjare S/o Panchram Banjare Aged About 34 Years R/o Village Sonadih, Chowki Karhibazar, P. S. City Kotwali, Balodabazar, District Baloda Bazar-Bhatapara Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P. S. City Kotwali, Balodabazar, District Baloda Bazar-Bhatapara Chhattisgarh

---- Respondent

For Applicant	: Ms. Shivali Dubey, Advocate
For Respondent/State	: Shri Vinod Tekam, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.655/2019 registered at police station City Kotwali, District Baloda Bazar-Bhatapara (CG) for the offence punishable under Section 302 IPC.

As per prosecution case, on the date of incident, some altercation took place between the deceased and applicant and in which, brother of the applicant hit the deceased with the buckle of belt, resulting his death.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. She further submits that the main

allegation is against accused Sanjay Banjare. She submits that the applicant is in jail since 12.11.2019; the charge sheet has been filed and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge